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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/810,241
Filing Date	March 26, 2004
First Named Inventor	John F. Shanley, et al.
Group Art Unit	1615
Examiner Name	Unassigned
Attorney Docket Number	P063

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Return postcard
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement + PTO Form 1449 (16 pages)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 - 1 page		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Conor Medsystems, Inc. Cindy A. Lynch	38,699
Signature		
Date	March 23, 2007	

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Dated: 3-23-07

Signature: (Abby Berghella)



Attorney Docket No. P063

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Dated: 3-23-07

Signature: Abby Berghella (Abby Berghella)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: John F. Shanley et al.

Serial No.: 10/810,241

Art Unit: 1615

Filed: March 26, 2004

Examiner: Unassigned

For: IMPLANTABLE MEDICAL
DEVICE AND METHOD FOR
IN SITU SELECTIVE
MODULATION OF AGENT
DELIVERY

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

1a. ☒ A PTO-Form 1449 listing all patents, publications, applications, or other information submitted for consideration by the office.

1b. A legible copy of:

☒ Each publication and foreign patent reference;

☐ Each publication or that portion which caused it to be listed on the PTO-1449;

☐ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;

☐ all other information or portion which caused it to be listed on the PTO-1449.

2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
- ☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
 - ☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
 - ☒ Before the mailing of the first Office action on the merits;
 - ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.
- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed
4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.
- The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
- ☐ enclosed.

The Certification Statement in Item 5 below is applicable.

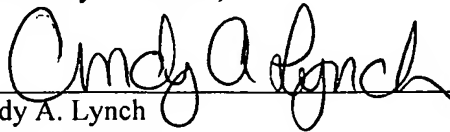
5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked)
- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
6. ☐ This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).
- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☐ Copies of publications listed on Form PTO-1449 from prior application Serial Nos. _____ from which this application claims priority are not being submitted pursuant to 37 C.F.R. §1.98(d), however the Examiner should consider this information in accordance with MPEP §609(I)(A)(2).
- 6c. ☐ Copies of the foreign patents and publications listed on Form PTO-1449 are provided herewith.
7. ☐ This is a Supplemental Information Disclosure Statement.
- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on _____.
8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
- 8a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ set forth in the application.
- 8c. ☐ enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Conor Medsystems, Inc. Deposit Account No. 50-3100.

10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date: March 23, 2007

A handwritten signature in cursive script, reading "Cindy A. Lynch", is written over a horizontal line.

Cindy A. Lynch
Reg. No. 38,699
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(650) 614-4131

Substitute for forms 1449A/PTO & 1449B/PTO

Attorney's Dkt. No.

P063

Application No.

10/810,241**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Applicant

John F. Shanley, et al.

Filing Date

March 26, 2004

Group

1615

MAR 26 2007

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US- 20040122505		Shanley	
	US-20010027291		Shanley	
	US-20020007214		Falotico	
	US-20020007215		Falotico et al.	
	US-20020010507		De Scheerder et al.	
	US-20020013619		Shanley	
	US-20020038146		Ulf	
	US-20020082680		Shanley et al.	
	US-20020094985		Herrmann	
	US-20020107563		Shanley	
	US-20020165604		Shanley	
	US-20030009214		Shanley	
	US-20030033007		Sirhan et al.	
	US-20030069606		Girouard et al.	
	US-20030125800		Shulze et al.	
	US-20030125803		Vallana et al	
	US-20030167085		Shanley	
	US-20040024449		Boyle	
	US-20040098117		Hossainy et al	
	US-20040142014		Litvack, et al.	
	US-20040143321		Litvack, et al.	
	US-20040143322		Litvack et al.	
	US-20040166140		Santini et al	
	US-20040193255		Shanley, et al.	

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Substitute for forms 1449A/PTO & 1449B/PTO FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Attorney's Dkt. No. P063	Application No. 10/810,241
	Applicant John F. Shanley, et al.	
	Filing Date March 26, 2004	Group 1615

U.S. PATENT DOCUMENTS

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	US-20040202692		Shanley et al.	
	US-20040204756		Diaz et al.	
	US-20040208985		Rowan et al.	
	US-20040220660		Shanley, et al.	
	US-20040220665		Hossainy et al.	
	US-20040225350		Shanley	
	US-20040234737		Pacetti	
	US-20040249449		Shanley et al.	
	US-20050038505		Shulze et al.	
	US-20050049693		Walker	
	US-20050055078		Campbell	
	US-20050058684		Shanley et al.	
	US-20050059991		Shanley	
	US-20050060020		Jenson	
	US-20050064088		Fredrickson	
	US-20050074545		Thoman	
	US-20050075714		Cheng et al.	
	US-20050079199		Heruth et al.	
	US-20050084515		Udipi et al.	
	US-20050100577		Parker et al.	
	US-20050106210		Ding et al.	
	US-20050113903		Rosenthal et al.	
	US-20050119720		Gale et al.	
	US-20050158360		Falotico et al.	

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U.S. PATENT DOCUMENTS

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	US-20050169969		Li et al.	
	US-20050177226		Banik et al.	
	US-20050187611		Ding et al.	
	US-20050197691		Yamit et al.	
	US-20050208200		Ding et al.	
	US-20050233062		Hossainy et al.	
	US-20050234538		Litvack, et al.	
	US-20050234544		Shanley	
	US-20050251248		Chandresekara et al.	
	US-20050256564		Yang et al.	
	US-20050261762		Hezi-Yamit	
	US-20050271697		Litvack	
	US-20050273161		Malik et al.	
	US-20050278016		Welsh et al.	
	US-20060009838		Shanley, et al.	
	US-20060035879		Prescott	
	US-20060064157		Shanley	
	US-20060122688		Shanley et al.	
	US-2006017834		Parker et al.	
	US-20060178735		Litvack et al.	
	US-4321711		Mano	
	US-5290271		Jernberg	
	US-5419760		Narciso	
	US-5464450		Buscemi et al.	

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	US-5500013		Buscemi et al.	
	US-5512055		Domb et al.	
	US-5516781		Moris et al.	
	US-5563146		Morris et al.	
	US-5571525		Roorda et al.	
	US-5637113		Tartaglia et al.	
	US-5646160		Morris et al.	
	US-5660873		Nikolaychik et al.	
	US-5665728		Morris et al.	
	US-5674241		Bley et al.	
	US-5766584		Edelman et al.	
	US-5769883		Buscemi et al.	
	US-6099562		Ding et al.	
	US-6231600		Zhong	
	US-6387124		Buscemi et al.	
	US-6423345		Bernstein et al.	
	US-6461631		Dunn et al.	
	US-6491617		Ogle et al.	
	US-6528121		Yang, et al.	
	US-6530950		Alvarado et al.	
	US-6565602		Rolando et al.	
	US-6635082		Hossainy et al.	
	US-6656217		Herzog et al.	
	US-6676987		Zhong et al.	

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	US-6682771		Zhong et al.	
	US-6689390		Bernstein et al.	
	US-6699281		Vallana et al.	
	US-6753071		Pacetti	
	US-6764507		Shanley et al	
	US-6774278		Ragheb et al.	
	US-6776796		Falotico, et al.	
	US-6783793		Hossainy et al.	
	US-6790228		Hossainy	
	US-6805898		Wu et al.	
	US-6808536		Wright, et al.	
	US-6818063		Kerrigan	
	US-6846841		Hunter, et al.	
	US-6849089		Stoll	
	US-6855125		Shanley	
	US-6855770		Pinchuk et al.	
	US-6860946		Hossainy et al.	
	US-6861088		Weber et al.	
	US-6869443		Buscemi et al.	
	US-6887510		Villareal	
	US-6890339		Sahatjian et al.	
	US-6896965		Hossainy	
	US-6908622		Barry et al.	
	US-6908624		Hossainy et al.	

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	US-6923996		Epstein et al.	
	US-6926919		Hossainy et al.	
	US-6939374		Banik et al.	
	US-6939376		Shulze, et al.	
	US-6953560		Castro et al.	
	US-6955723		Pacetti et al.	
	US-7056338		Shanley et al.	

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FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Publication Date (mm-dd-yyyy)	Translation	
					Yes	No
	DE-20200220		Germany			
	EP-1132058		EPO	9/12/2001		
	EP-1155690		EPO	9/29/2004		
	EP-1181903		EPO	2/2/2005		
	EP-1236478		EPO	9/4/2002		
	EP-1330993		EPO	10/12/2005		
	EP-1341479		EPO	10/12/2005		
	EP-1470828		EPO	10/27/2004		
	EP-1472992		EPO	11/3/2004		
	EP-1479401		EPO	11/24/2004		
	EP-1493456		EPO	1/5/2005		
	EP-1493457		EPO	1/5/2005		
	EP-1500406		EPO	1/26/2005		
	EP-1500407		EPO	1/26/2005		
	EP-1504775		EPO	2/9/2005		
	EP-1518570		EPO	3/30/2005		
	EP-1527754		EPO	5/4/2005		
	EP-1557183		EPO	7/27/2005		
	EP-1559439		EPO	8/3/2005		
	EP-1566187		EPO	8/24/2005		
	EP-1570871		EPO	9/7/2005		
	EP-1574228		EPO	9/14/2005		
	EP-1582180		EPO	10/5/2005		
	EP-1582225		EPO	10/5/2005		
	EP-1586338		EPO	10/19/2005		
	EP-1588725		EPO	10/26/2005		
	EP-1588726		EPO	10/26/2005		
	EP-1588727		EPO	10/26/2005		

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					Yes	No
	EP-1600123		EPO	11/30/2005		
	EP-1600180		EPO	11/30/2005		
	EP-470246		EPO	2/12/1992		
	EP-543653		EPO	5/26/1993		
	EP-566245		EPO	10/20/1993		
	EP-627226		EPO	12/7/1994		
	EP-679373		EPO	11/2/1995		
	EP-706376		EPO	4/17/1996		
	EP-809515		EPO	4/28/2004		
	EP-875218		EPO	4/11/2998		
	EP-950386		EPO	10/20/1999		
	EP-959812		EPO	1/26/2005		
	EP-975340		EPO	10/6/2004		
	EP-980280		EPO	2/9/2005		
	WO-0110421		PCT	2/15/2001		
	WO-0206506		PCT	8/8/2002		
	WO-0232347		PCT	4/25/2002		
	WO-0243788		PCT	6/6/2002		
	WO-03035132		PCT	5/11/2003		
	WO-03082364		PCT	10/9/2003		
	WO-03082368		PCT	10/9/2003		
	WO-04000379		PCT	12/31/2003		
	WO-04045578		PCT	6/3/2004		
	WO-04091714		PCT	10/28/2004		
	WO-04096311		PCT	11/11/2004		
	WO-04098451		PCT	11/18/2004		
	WO-04098671		PCT	11/18/2004		
	WO-04101018		PCT	11/25/2004		

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	WO-04103428		PCT	12/2/2004		
	WO-05000939		PCT	1/6/2005		
	WO-05004945		PCT	1/20/2005		
	WO-05004946		PCT	1/20/2005		
	WO-05007035		PCT	1/25/2005		
	WO-05011766		PCT	2/10/2005		
	WO-05011767		PCT	2/10/2005		
	WO-05011769		PCT	2/10/2005		
	WO-05011770		PCT	2/10/2005		
	WO-05016187		PCT	2/24/2005		
	WO-05016396		PCT	2/24/2005		
	WO-05018606		PCT	3/3/2005		
	WO-05027794		PCT	3/31/2005		
	WO-05034805		PCT	4/21/2005		
	WO-05034806		PCT	4/21/2005		
	WO-05037444		PCT	4/28/2005		
	WO-05037447		PCT	4/28/2005		
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					Yes	No
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Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

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